



U.S. DEPARTMENT of STATE

Central African Republic

Country Reports on Human Rights Practices - [2006](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 6, 2007

The Central African Republic (CAR) is a constitutional republic whose population of approximately 4.1 million is governed by a strong executive branch and weak legislative and judicial branches. In March and May of 2005, the country held two rounds of multiparty presidential and legislative elections that resulted in the election of General Francois Bozize, the country's former armed forces chief of staff, as president; in 2003 Bozize seized power in a military coup, declared himself president, and headed a transitional government until the 2005 elections. National and international observers judged the elections to be generally free and fair and representative of the people's will, despite irregularities and accusations of fraud by candidates running against Bozize.

Fighting between rebels and government security forces contributed significantly to a "political and military crisis," according to a UN report released in December. The fighting resulted in numerous civilian killings and, along with widespread banditry and kidnappings by unidentified groups, caused the displacement during the year of approximately 185,000 persons, almost 5 percent of the population. The sharp deterioration of the security and humanitarian situation in the country was compounded by regional instability and arms proliferation. Despite the presence of almost 400 peacekeeping soldiers from neighboring member countries of the Economic and Monetary Union of Central Africa (CEMAC), lawlessness persisted in large swaths of the country, particularly in the north, and analysts estimated that only 2 percent of the country's territory was under state authority. Civilian authorities did not maintain effective control of security forces.

Many observers said the government's counteroffensive against rebels in the northwest targeted the population of the region--a traditional stronghold of the opposition party--which made it difficult for the government to collect intelligence about the rebel movement and further alienated communities already suffering from socio-economic marginalization due to long-term insecurity.

The government's human rights record remained poor; although there were improvements in some areas, the government's respect for human rights deteriorated overall, and serious problems remained. Reports of extrajudicial killings by the Central Office for the Repression of Banditry (OCRB) decreased, but reports of the military killing civilians increased sharply due to government counteroffensive operations against rebels in the north. Acts of torture, beatings, rape, and other abuses of suspects and prisoners by security forces continued to be a problem. Impunity, particularly military impunity, worsened. Conditions in prisons and detention centers remained harsh and life threatening. The government's use of arbitrary arrest and detention increased significantly, particularly following fighting in the north between rebels and the military, which contributed to an increase in political detainees. Prolonged pretrial detention, denial of a fair trial, and judicial corruption continued to be problems. The government restricted freedom of the press, although to a lesser extent than in the previous year. Freedom of movement deteriorated greatly because of actions by security forces, armed bandits, and rebels. Government corruption and lack of access to government-held information--particularly information related to the security situation--remained serious problems. In addition societal violence, including female genital mutilation (FGM), discrimination against women, and societal discrimination against indigenous people (Pygmies) also remained problems. Restrictions on workers' rights, child labor, and forced labor--including forced child labor--also were serious challenges facing the country.

Unidentified armed groups--thought to be common criminals and remnants of insurgency groups from previous conflicts, including former pro-Bozize combatants from Chad--continued to attack, kill, rob, beat, and rape civilians and loot and burn villages in the north. Kidnappings by unidentified armed groups increased during the year, contributing significantly to the country's massive population displacement.

In addition several politically motivated rebel groups in the northwest and northeast--including the Restoration of the Republic and Democracy (APRD) and the Union of Democratic Forces for Unity (UFDR)--emerged during the year and resulted in an increase in attacks on civilians across the country, including counteroffensive attacks by the military, which accused some civilians of supporting the rebels. Rebels of the APRD partly controlled areas in the northwest, allegedly with support from Chadian rebels. Well-armed members of the UFDR in the northeastern region bordering Sudan and Chad attacked and overran the Gordil military camp in Vakaga Prefecture in June, resulting in casualties among the military and the multinational CEMAC peacekeeping force. Between October and December, the UFDR seized control of four towns in the northeast and demanded that the government agree to negotiations on sharing political power with the rebel front, which by November had nominally united the country's various rebel groups under the name of the UFDR. The government, which accused the Sudanese government of supporting the rebellion in the northeast, refused. With French military assistance, government security forces regained control of these towns by year's end; however, many feared that the rebels would relaunch their offensive.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed politically motivated killings; however, security forces continued to commit executions and other extrajudicial killings with impunity throughout the year. In addition the security forces, particularly the presidential security forces (commonly known as the presidential guard), killed numerous civilians suspected of supporting rebels.

The OCRB, a special antibanditry police squad, continued to arbitrarily execute suspected bandits without respecting the basic due process rights of the accused, and was responsible for other extrajudicial killings and deaths resulting from torture. However, it killed fewer individuals during the year, according to local nongovernmental organizations (NGOs). The OCRB, which normally operated only in and around Bangui, committed such abuses with tacit government support and popular approval, partly because the OCRB's actions were seen as an effective means of reducing crime.

The OCRB often apprehended suspected armed robbers, bandits, and thieves after conducting informal, undocumented investigations; transported them to Cattin, a town three miles southwest of Bangui; shot and killed them; and then used open-air jeeps to drive the dead bodies through town in broad daylight (to exhibit the dead as a deterrent to crime) before depositing the bodies at a morgue. The director of the OCRB, however, claimed he was not aware of any extrajudicial executions. In 2005 the minister of the interior, who oversees the OCRB, and the minister of justice stated that while the OCRB killed suspects during the year, they believed that these killings occurred only after OCRB members were shot at by suspects attempting to evade apprehension.

There were no developments in the March 17 killing of Yacoub Ibrahim by members of the OCRB in the Bangui neighborhood of Kilometre 5.

The government generally did not prosecute OCRB members responsible for killings committed during the year. The minister of justice said that most parents of suspected criminals killed by the OCRB did not file complaints with the judicial system because of the social stigma associated with being related to accused criminals. The public prosecutor and UN officials, however, said they believed that many victims' families did not file complaints against the OCRB because of fear of retribution and the widespread belief that the OCRB enjoyed almost total impunity.

During the year there were credible reports that security forces committed other unlawful killings, including during the apprehension of suspects, as well as killings allegedly in connection with personal disputes or rivalries. For example, on January 2, following a dispute that began at a bar in Bangui between two members of the security forces, Staff Sergeant Jean Claude Sanze shot and killed Lieutenant Wilfrid Yango Kapita, a member of the presidential guard, in Boy-Rabe, a Bangui neighborhood. After the killing Sanze took refuge at the headquarters of the country's UN Peacebuilding Support Office (BONUCA), where he was allowed to spend the night. The following morning, at the request of the public prosecutor, a criminal investigations officer took custody of Sanze and the public prosecutor assured BONUCA that Sanze would be protected until his trial. That same day, while Sanze was incarcerated in the Research and Investigation Section of the National Gendarmerie, presidential guard members who had been close to Kapita forcibly removed Sanze from his prison cell, tortured him, shot and killed him on the premises of the gendarmerie, and disfigured and exposed his remains to the public. On the same day, presidential guard members also ransacked and looted the residence of Nicolas Tiangaye, a lawyer and former president of the country's National Transition Council, to whom Sanze had periodically provided security. Although the government informed BONUCA that an investigation had been launched, by year's end the government had not take any judicial or disciplinary action against the presidential guard members responsible for the killing.

On January 5, following the funeral for Sanze, members of security forces reportedly shot and killed two mourners. By year's end authorities had made no arrests in connection with the killings.

On August 28, Sergeant Adomi Wilibona, a presidential guard member, reportedly shot two young street vendors at a coffee bar near the Central Market in Bangui. At year's end the case was pending before the Permanent Military Tribunal.

On September 21, Captain Achille Lakouama, a military surgeon and assistant doctor of President Bozize, shot and killed Pascal Bembe, director of the Presidential Protocol Office, outside Bembe's house during the negotiation of a loan repayment. After the alleged killing, Lakouama reportedly took refuge in the residence of an absent President Bozize, who later granted him special protection and confinement. After protests by the archbishop of Bangui and local human rights NGOs, authorities arrested Lakouama and said he would be brought before the Permanent Military Tribunal during its December session; however, the tribunal canceled this session due to lack of available funds. At year's end Lakouama remained in detention at a military camp, according to his lawyer.

In December, in an incident that further highlighted the tension between Chadian members of the presidential guard (some of whom helped President Bozize seize power in 2003) and CAR members of the security forces, Chadian members of the presidential guard attacked a military police station in Bangui, abducted a gendarme and a youth, and reportedly killed them by slitting their throats. The incident occurred after a group of youths stoned to death a Chadian member of the presidential guard, who had stabbed a CAR police officer in an attempt to steal his car, according to press reports. By year's end, the police officer had recovered in the hospital, and there were no reports of any legal or disciplinary action taken against anyone involved in the incident.

During the year there were numerous instances in which the security forces, particularly the presidential guard, killed civilians suspected of supporting rebels. For example, following attacks by APRD rebels on military targets in the northwest, security forces led by Lieutenant Eugene Ngaikoisie, a member of the presidential guard, reportedly conducted reprisal attacks on numerous villages near the Chadian border between January 29 and 31, on February 11 and 18, and on March 22. According to credible reports, during the reprisal attacks, presidential guards indiscriminately killed up to 100 civilians in the northwestern prefectures of Ouham Pende and Ouham. While the government said that insurgents were dressed in plain clothes and difficult to identify, victims of the security forces' attacks reportedly included several school children (some as young as 10 years old), as well as teachers, a village chief, and a municipal police officer. Ngaikoisie's counteroffensive campaign forced at least 7,000 residents to flee to southern Chad and several thousand others to abandon their villages and take refuge in the bush.

According to multiple credible sources—including Bangui-based journalists who were allowed limited access to Paoua and Markounda in March, Amnesty International (AI), the International Committee of the Red Cross (ICRC), and interviews by foreign diplomats with CAR refugees who fled to southern Chad during the year—in the Ouham Pende prefecture town of Paoua alone, security forces killed at least 35 civilians in late January. Soldiers executed three students for failing to lead them to insurgents and arms caches, and four unidentified bodies were burned in the local gendarmerie. Ngaikois's forces accused youths of being traitors and rebel sympathizers before torturing and summarily executing some of them, including 17 students from Paoua College. Among the 50 civilians killed by security forces on February 11 were seven students who were beaten to death; that same day government forces burned or destroyed more than 10 villages near Paoua. AI, local journalists, and local NGOs called on the government to establish an independent commission to investigate the killings and punish members of security forces responsible for the attacks; however, by year's end no such commission had been formed. No action was taken against Ngaikois. The public prosecutor said authorities arrested some members of security forces responsible for killings and other abuses during the year and that they were scheduled to be tried by a court in 2007; however, it was unclear whether any of these arrests were in connection with the alleged killings and other abuses mentioned above.

In late September and early October, government forces killed, tortured, and raped an undetermined number of residents during fighting between security forces and APRD rebels in and around the Gribingui prefecture village of Wandago, near the city of Kaga-Bandoro.

During November and December, humanitarian groups, which could not access the northeast due to insecurity, received phone calls from residents in Birao, the capital of Vakaga Prefecture, alleging that the military had committed executions and rape there during a counteroffensive mission against UFDR rebels. By year's end there was no confirmation of these reports and no additional information.

In early December during a counteroffensive campaign against APRD rebels, security forces reportedly accused the residents of Zoumbeti, a Gribingui prefecture village (30 miles south of Kaga-Bandoro), of collaborating with the rebels and looted and burned down their village; two elderly men were burned to death in their homes, according to the village's deputy chief.

The government arrested some members of the military who allegedly killed persons during the year. However, by year's end the Permanent Military Tribunal, which was normally charged with handling such cases, had held no trials due to constraints on funding, according to officials. Approximately 50 cases, including 18 killings, remained pending.

During the first part of the year, the public prosecutor continued to conduct a criminal investigation of Lieutenant Jean-Celestine Dogo regarding his role in the alleged torture and killing of two men in 2004. Although President Bozize had officially dismissed Dogo from the security forces in 2004 (following Dogo's temporary arrest in connection with the killings), there were numerous credible reports during the first five months of the year that Dogo continued to serve in the security forces and commit violations against civilians (see section 2.a.); the government, however, denied these reports. In late May Dogo was killed by a rebel ambush during a military mission in Vakaga Prefecture. After President Bozize attended Dogo's funeral, some observers criticized the government for failing to ensure that Dogo no longer operated in the security forces and for failing to combat impunity in the security forces.

There were no arrests in the case of a man who died from severe injuries--allegedly inflicted by Dogo and other presidential guard members--shortly after being found in a bag in September 2005.

While unidentified armed bandits had contributed to the country's instability for many years, during the year they demonstrated a growing willingness to kill civilians. For example, on March 7, unidentified armed men shot and killed the mayor of Bossangoa, Jean Brice Guenefer; rebels of the Patriotic Movement for the Restoration of the CAR later claimed responsibility, although some observers were doubtful of the veracity of this claim. In addition, on March 15, unidentified armed individuals shot and killed another mayor, Kossi Augustin, and his son, in their home in the Ouham prefecture village of Korom-Mpoko. By year's end there were no reports of authorities making arrests in connection with these killings.

On April 9, unidentified armed men in uniform attacked a vehicle clearly marked as UN property near Yaloke in Ombella Mpoko Prefecture, killing two doctors on a World Health Organization (WHO) mission, Eric Kelembho and Joachim Kaba Mebri. By year's end authorities had made no arrests in connection with the killings.

During the year there were weekly reports of unidentified armed men in uniform forcibly entering personal residences at night in and around Bangui to kill and harass civilians and to loot personal belongings.

Although information about these armed groups and highway bandits was difficult to obtain, aid workers and UN officials said they believed the armed groups were a mix of common criminals and remnants of insurgent groups from recurring conflicts in the region. Some human rights observers said they believed that many of the armed groups were comprised of the same rebels and mercenaries, including Chadian former combatants, who helped Bozize seize power in the 2003 coup, and that since Bozize had been unable to pay them what they considered a proper compensation after he seized power, the former combatants were exacting payments from civilians by force.

Civilians continued to take vigilante action against presumed thieves, poachers, and some persons believed to be Chadian combatants.

Mobs reportedly continued to kill and injure suspected sorcerers or witches during the year. For example, on October 23, local media reported the killing of a nine-year-old girl who was seriously burned and subsequently died after she was accused of being a sorcerer. Authorities arrested two members of her family and detained them at the women's prison in Bangui. The case was pending before a court at year's end.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

During the year unidentified armed groups conducted kidnappings of M'bororo children for ransom (see section 5).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the law and the constitution prohibit torture and specify sanctions for those found guilty of physical abuse, police, including the OCRB, continued to torture, beat, and otherwise abuse criminal suspects, detainees, and prisoners, according to local human rights groups such as the Association Against Torture (ACAT) and the Central African Human Rights League (LCDH). The government did not take effective action to punish police who tortured suspects, and impunity remained a problem. Family members of victims and human rights groups, including the LCDH, pursued court complaints filed since 2003 with the prosecutor regarding the deaths of several prisoners due to police abuse; however, authorities did not take action on any of the cases by year's end. The LCDH reported the abuse of civilians by the presidential security forces and filed court complaints of police abuse.

Police most commonly employed a form of torture known as *le cafe*, the repeated beating of the sole of an individual's feet with a baton or stick. Immediately after administering *le cafe*, police would sometimes force the individual to walk on badly bruised feet, and if the individual was unable to do so, police would further beat the individual.

During the Criminal Court's session in September, many prisoners, including 14 people arrested for endangering the security of state, testified before the court regarding the cruel and inhuman treatment they received from security forces during their detention. Some said that they were beaten and frequently tortured, and some of them had serious injuries, including broken legs or arms.

On October 23, members of the OCRB seriously beat and tortured National Assembly member Ali Kassala and placed him in a jail cell following a dispute in Bangui. Kassala had gone to the OCRB headquarters to demand the release of his relatives, who had been arrested and detained by the OCRB. Kassala was brought before a prosecutor and released a few hours later. Several parliamentarians noted Kassala's parliamentary immunity and criticized the police's mistreatment of their colleague. They requested an investigation and called on the government to take action against the OCRB members responsible for the abuses. At year's end no additional information was available.

In late September and early October, government forces tortured and raped an undetermined number of residents during fighting between security forces and rebels (see section 1.a.).

In December security forces beat the deacon of a Bangui church (see section 1.f.).

Security forces rarely were punished for committing acts of violence against civilians. However, in September authorities arrested Commandant Ambroise Azoukateme, a member of the OCRB and the chief of an anti-narcotics police squad, for abuses committed against detainees including torture, inhuman treatment, beatings, arbitrary arrest, and fraud. During the last quarter of the year, a court sentenced him to two years in prison.

According to the magistrate of the Permanent Military Tribunal, 32 members of the military arrested during the year on charges of committing beatings, torture, and killings were scheduled to be brought before the court by the year's end; however, the tribunal postponed its December session and had heard no cases by year's end due to what officials said was a lack of available funding. Among those arrested was Lieutenant Grepe, who was arrested in September for committing abuses against detainees.

By year's end, there were no reports that the government had taken action against members of security forces responsible for the following acts of torture and beatings committed in 2005: the January beating of Rufin Louango, an employee of a foreign embassy, by Lieutenant Dogo in Bangui; the March beating of three young individuals after an arbitrary search of their Bangui home by former Lieutenant Dogo, presidential security forces member Lieutenant Olivier Koudemon (alias Gbangouma), and a member of the armed forces named Aziz; the allegedly ethnically motivated beating in March of Sergeant Marcel Kila, a Yakoma, by two unidentified military officers of the Gbaya ethnicity, near the Berengo military training center; the June beating of a taxi driver in the Kilometre 5 neighborhood of Bangui; or the October beating of Jean-Michel Mandaba, deputy secretary of former president Patasse's Central African People's Liberation Movement (MLPC), and Joseph Tchendo, president of the country's media regulatory body, in Bangui.

Members of the armed forces often committed other abuses against civilians, including armed robbery and racketeering. No action generally was taken against these soldiers.

Members of security forces, particularly members of the military, raped civilians during the year. There were reports that security forces continued to commit rape, including collective rape, often in school buildings at night; however, there were fewer reports that security forces raped women than in the previous year. Security forces rarely were punished for raping civilians; for the most part, perpetrators either escaped police custody or were released by fellow soldiers and other security agents.

In October human rights observers reported that a member of the army attempted to rape a 15-year-old girl and seriously injured her in the Gribingui prefecture town of Kaga-Bandoro. The girl's parents filed a complaint before the Permanent Military Tribunal, and at year's end an investigation was underway.

There were no reports that the government had taken action against the five uniformed military officers responsible for the April 2005 rape of a young girl near the central market of Bangui, or the September 2005 rape of a 16-year-old girl in a Bangui neighborhood by a police officer.

During the year unidentified armed groups continued to attack, rob, beat, and rape civilians in villages and those traveling on main routes, mostly in the countryside.

The International Criminal Court (ICC) continued to consider whether it would investigate a complaint filed by the government in 2005 against former president Patasse, Jean-Pierre Bemba, the vice president of the Democratic Republic of the Congo (DRC) and a former rebel leader, and others for crimes against humanity committed prior to and during the 2003 coup (see section 4).

During the year a combination of rebels, bands of unidentified armed men, and government soldiers attacked civilians in the northwest and northeast. During these attacks, the perpetrators tortured, beat, and raped civilians; burned and looted homes; and forced more than 35,000 civilians to flee the country (see sections 1.a., 1.c., and 2.d.). For example, in late September and early October, members of the presidential guard reportedly burned or destroyed 10 villages around the Ouham-Pende prefecture town of Paoua, including Botona and Kebe. The presidential guard denied involvement in the arson attacks.

Prison and Detention Center Conditions

Prison conditions were extremely harsh and well below international standards; prison conditions outside Bangui generally were worse. There were reports that guards tortured prisoners. There were an estimated 1,000 prisoners in the country. Most of the prisons outside of Bangui were completely destroyed during the 2003 fighting. Prison cells were overcrowded, and basic necessities, including food, clothing, and medicine were inadequate and often confiscated by prison officials. Prisoners depended on family members to supplement inadequate prison meals and were sometimes allowed to forage for food near the prison. Prisoners frequently were forced to perform uncompensated labor. Unlike in the previous year, this work involved public works projects rather than work at the residences of government officials and magistrates.

There were two prisons in Bangui: Ngaragba central prison for men and Bimbo central prison for women. Inmates with infectious diseases lived among healthy inmates, and medicine was either unavailable or too expensive. Detainees and inmates at both prisons received one meal per day; meals were insufficient and consisted of cassava, rice, and either green beans, fish, or (occasionally) meat, depending on the day of the week. Inmates slept on the floor or on thin matting provided by their families or charities. A few shower stalls, interior open-air courtyards, and weekly visiting hours were available to all detainees and prisoners at both prisons.

On October 20, Ngaragba held 350 individuals, including 180 pretrial detainees. Several detainees had been detained for seven months and had not yet appeared before a judge. On average, there were 10 individuals in each common room. In the prison section reserved primarily for former government officials suspected or convicted of financial crimes, common rooms held four persons on average.

Bimbo's population consisted primarily of pretrial detainees, most of whom were women accused of sorcery. Several individuals had been detained for four months and had not appeared before a judge; few had lawyers. Prison officials allowed detainees and prisoners to be sent to a nearby hospital when they became ill. Overcrowding was reportedly not a problem, and children younger than five years old were allowed to stay with their mothers at the prison. There were no reports of rapes or sexual harassment by the all-male prison guard staff.

Male and female prisoners were held in separate facilities in Bangui but housed together elsewhere. Pretrial detainees were not held separately from convicted prisoners.

Conditions in detention centers were worse than those in prisons and in some cases were life-threatening. Bangui's detention centers consisted of overcrowded cells with very little light and leaky buckets for toilets. According to the local human rights groups, lack of training and poor supervision at detention centers were serious problems and continued to result in torture and beatings. Suspects in police and gendarmerie cells had to depend on family, friends, religious groups, and NGOs for food. Several detainees complained that they had not eaten in two days, had not been allowed to bathe or shower in two weeks, and had lice. Detainees with infectious diseases lived among healthy prisoners, and medicine was not available. Suspects generally slept on bare cement or dirt floors. Corruption among guards, who had not been paid in months, was rife. Guards often demanded between \$0.37 (200 CFA francs) and \$0.55 (300 CFA francs) to permit showers, allow for the delivery of food and water, or permit family visits.

During visits in May by AI delegates and a foreign diplomat to several detention centers in Bangui, a single five-square-meter cell at the National Gendarmerie's Research and Investigation Department (SRI) housed 12 detained soldiers accused of desertion (see section 1.d.). The cell was dirty, had no toilet, and smelled of human waste. Detainees noted that during storms, which were frequent in the rainy season, the cell was flooded, subjecting the soldiers to illnesses. At the Port Police Station, the cell also smelled of human waste and had no sleeping facilities. One of the detainees whom AI encountered, Mohammed Diakite, a Malian, had been detained there for two months, appeared to be approximately 16 years old, and was virtually unable to communicate due to mental illness. He was being held for alleged illegal entry into the country but had not been seen by a judge.

In Bangui, male and female detainees were separated; however, they reportedly were not separated in detention facilities in the countryside. There were no separate detention facilities for juvenile prisoners, who routinely were housed with adults and often subjected to physical abuse.

The government permitted prison visits by human rights observers. The ICRC and religious groups routinely provided supplies, food, and clothes to prisoners. The ICRC and the human rights unit of BONUCA had unrestricted access to prisoners. In May AI delegates visited several detention centers in Bangui.

d. Arbitrary Arrest or Detention

The law provides protection against arbitrary arrest and detention and accords the right to a judicial determination of the legality of detention; however, security forces frequently ignored such provisions, and there was a significant increase in the use of arbitrary arrest and detention during the year.

Role of the Police and Security Apparatus

The National Police, including the OCRB, are under the director general of police, who is under the Ministry of Interior and Public Security. The military forces, including the presidential guard and the National Gendarmerie are under the Ministry of Defense. Both the police and military share responsibility for internal security.

As part of its efforts to protect citizens and safeguard property, the government continued to support joint security operations in the capital conducted by the armed forces, CEMAC peacekeepers, and French forces.

Police were not effective, partly as a result of salary arrears owed by the government and a severe lack of resources. Many citizens lacked faith in the police; consequently, mob violence against persons suspected of theft and other offences remained a problem (see section 1.a.). Corruption in the police, including the use of illegal roadblocks to commit extortion, remained a serious problem (see sections 2.d. and 3). During the year the LCDH accused the security forces of terrorizing the population, killing civilians, and committing armed robbery with impunity. Despite being criticized by local human rights groups and the media for committing numerous, serious human rights abuses, the OCRB continued to expand its mission, which local NGOs said was cause for concern. Although the OCRB was created to function only in Bangui and to focus on combating violent banditry, the OCRB increasingly investigated, detained, and abused persons accused of lesser crimes such as embezzlement and petty theft; it also conducted some operations outside Bangui.

There were mechanisms available to investigate police abuses. Citizens could and did file complaints of police abuse with the public prosecutor of the republic. The most common complaints involved thefts, rape, brutality, and embezzlement. With the assistance of BONUCA and the high commissioner of human rights and good governance, the prosecutor actively investigated numerous complaints of police abuse, including reported killings; however, impunity remained a severe problem. The prosecutor had the authority to order the arrest of police officers suspected of committing abuses and exercised that authority during the year; however, the prosecutor's staff was small, had only one computer (a gift from an NGO), and was severely lacking in other resources.

The public prosecutor said the government prosecuted three OCRB members for abuses committed against civilians during the year. For example, in September the public prosecutor arrested a prominent member of the OCRB, the head of the anti-narcotics police squad, for serious abuses committed against detainees and other civilians (see section 1.c.). In addition a court convicted and sentenced two police superintendents for use of arbitrary detention and torture; no additional information was available by year's end.

BONUCA continued to provide security forces agents, including police officers, with human rights training.

Arrest and Detention

Judicial warrants are not required for arrest. The law stipulates that persons detained in cases other than those involving national security must be brought before a magistrate within 48 hours, although this period is renewable once, for a total of 96 hours. In practice authorities often did not respect this deadline, in part due to inefficient judicial procedures and a lack of judges. By law national security detainees are defined as those held for crimes against the security of the state. National security detainees may be held without charge for up to eight days, and this period can be renewed once, for a total of 16 days. However, in practice persons were held without charge for long periods. The law allows detainees to have access to their family and to legal counsel. Indigent detainees may request a lawyer provided by the government. Detainees are allowed to post bail or have family members post bail for them. Lawyers and families generally had free access to detainees.

Security forces arbitrarily arrested and detained numerous persons, and the government's use of arbitrary arrest and detention increased during the year.

Between February and May the government arrested more than 40 individuals suspected of supporting or engaging with several armed political groups seeking to overthrow the government of President Bozize. Many of the detainees claimed to have been arrested solely because of their known or suspected family connections with opponents of the government (see section 1.e.).

In May authorities arrested approximately 50 soldiers after they allegedly refused to fight against rebels in the northeast. Authorities accused them of desertion, but the soldiers said they had come to Bangui to collect their allowances, which they had not received for several months. In May approximately 15 were being held in harsh conditions at the SRI in Bangui, and according to local human rights defenders, 40 other soldiers reportedly were held at the Kassai barracks on the outskirts of Bangui. By year's end authorities had released all soldiers accused of desertion.

By year's end authorities had released the following persons: high school student Guy Aime Nzawouin, whom police had arrested in March 2005 on charges of selling voter registration cards; Joseph Clotaire Abanda-Kaya, the country's charge d'affaires in the DRC, whom authorities had arrested in April on charges of preparing a coup d'etat; and MLPC member Marcel Bagaza and three other men--Kalme Djakobaye Sindo, Alexandre Marboua, and Edourd Beroge--who were acquitted by a court during the year following their arrests in August 2005 on charges of fraud.

Unlike in the previous year, there were no reports that security forces arrested or detained a journalist; however, authorities arrested and briefly detained a labor leader (see section 6.a.).

During the year individuals, particularly women, continued to be arrested and charged with the practice of witchcraft, or sorcery, which was punishable by execution, although no one received the death penalty during the year (see section 1.e.). Prison officials at Bangui's Bimbo central prison for women said that persons accused of sorcery were arrested and detained or imprisoned for their own safety since village mobs sometimes killed suspected sorcerers or witches (see section 1.a.). In late 2005 Bangui prison officials estimated that 50 to 60 percent of female detainees were arrested in connection with charges of sorcery or witchcraft. Human rights observers said the belief in sorcery was so entrenched in the country that attempts to abolish legal recognition of the crime would be very difficult; however, observers said they were continuing to push for fair trials of those accused of the crime (see section 1.e.).

Prolonged pretrial detention was a serious problem. At year's end pretrial detainees in Bangui comprised 52 percent of Ngaragba's prison population and an estimated 50 percent of Bimbo's prison population. Detainees usually were informed of the charges levied against them; however, many waited in prison for several months before seeing a judge. Judicial inefficiency, corruption, severe financial restraints on the judicial system, and a lack of judges contributed to pretrial delays. Some detainees remained in prison for years because of lost files and bureaucratic obstacles.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, the judiciary remained subject to the influence of the executive branch. Judges are appointed by the president after being nominated by the Superior Council of Magistrates. The courts barely functioned due to inefficient administration of the courts, a shortage of trained personnel, growing salary arrears, and a lack of material resources. For example, the Ministry of Justice had only one computer and one printer to serve the entire country. In addition, many citizens did not have access to the judicial system. The Ministry of Justice occasionally had sufficient funds to send judges to geographically isolated communities located great distances from the nearest courthouse, but the average citizen had to travel at least 31 miles to reach one of the country's 25 courthouses. More courts were being established beyond the capital; however, traditional justice ordered by the head of a family or a village retained a preponderate role in settling conflicts and administering punishments. Furthermore, for the entire population, there were fewer than 150 judges, many of whom were not intimately familiar with the national laws. The overwhelming majority of citizens did not have the opportunity to be defended by a barrister, as there were fewer than 40 practicing lawyers in the country, almost exclusively in Bangui.

Judicial corruption remained a serious impediment to citizens' right to receive a fair trial. According to the LCDH, the judicial system was "rotten," from the judges down to the bailiffs. Many lawyers would pay judges to receive verdicts favorable to their clients. There were, however, some efforts to combat judicial corruption. The Ministry of Justice continued to implement a zero-tolerance policy; although the ministry suspended four judges suspected of engaging in corruption in 2005, it was not known whether the special disciplinary council reviewing their conduct had taken any action, or whether other judges were suspended during the year. During the year the Ministry of Justice continued to conduct a standard ministry-wide review every two months to identify areas where lack of efficiency might be hindering the judicial process. There was no additional information on these reviews at year's end.

The judiciary consists of a tribunal of first instance, the court of appeal, the cassation court, the high court of justice, the Supreme Court, commercial and administrative courts, a military court, and the Constitutional Court. The highest court is the Constitutional Court, which determines whether laws passed by the National Assembly conform to the constitution. The Constitutional Court also receives appeals challenging the constitutionality of a law. Lower courts hear criminal and civil cases and send appeals to the court of appeals.

The Permanent Military Tribunal judges only members of the military.

There were numerous reports that, due to judicial inefficiency, citizens in a number of cities established their own courts to deal with cases through parallel justice, especially in cases of suspected witchcraft; however, the minister of justice disputed the existence of such alternative courts.

Trial Procedures

Trials are held publicly, and defendants have the right to be present and to consult a public defender. Juries are used in the penal court for criminal trials. If an individual is accused of a serious crime and cannot afford a lawyer, the government has an obligation to provide one. Defendants also have the right to question witnesses, to present witnesses and evidence on their own behalf, and to have access to government-held evidence relevant to their case. Defendants are presumed innocent until proven guilty, and if convicted, defendants have the right to appeal. The government generally complied with these legal requirements; however, the judiciary did not enforce consistently the right to a fair trial, and there were many credible reports of corruption within the court system. According to the minister of justice, there continued to be a grave lack of neutrality among judges, many of whom were significantly influenced by politics in their rulings. One ethnic group in particular was reportedly subject to legal discrimination and unfair trials (see section 5).

During the year the OCRB continued to commit extrajudicial killings of persons suspected of being violent recidivists. The government and, to some degree, the citizenry tolerated these acts, in part because of a general lack of faith in the judicial system (see section 1.a.).

Witchcraft or sorcery is a crime punishable by execution, although no one accused of witchcraft received the death penalty during the year. Most individuals convicted of sorcery received sentences of one to five years in prison; they can also be fined up to \$1,500 (817,800 CFA francs). During a typical trial of someone accused of sorcery, traditional doctors were called to give their opinion of the suspect's ties to sorcery. "Truth herbs" were used to make a suspect "confess." Neighbors were called as witnesses and, because spells were believed to involve burying bits of clothing, sample cuttings of clothes were brought before the jury as evidence. Police and gendarmes conducted investigations into witchcraft.

The Permanent Military Tribunal, which judged only members of the military accused of crimes, held no sessions during the year due to what

officials said was a lack of available funding, and several cases involving human rights abuses against civilians remained pending at year's end (see sections 1.a. and 1.c.).

Political Prisoners and Detainees

There were no reports of the government holding political prisoners during the year; however, there were several reports of the government detaining persons for political reasons and holding at least some of them for most of the year. Authorities granted BONUCA's human rights unit and human rights NGOs access to many of these detainees during the year, although some of the detainees were held incommunicado initially and again later before their release.

Between February and May authorities arrested more than 40 persons accused of supporting rebel groups; authorities had reportedly released all of them by year's end. The series of arrests followed two key events: the January 29 attack by rebels on security forces in the northwestern town of Paoua, and the February arrest near Bangui of former army lieutenant Jean Jacques Larmassoum. After being arrested, Larmassoum reportedly told authorities that he had been conspiring with former president Patasse to overthrow the government, that he was the leader of the APRD rebels in the northwest, that the APRD had been responsible for attacks on security forces, and that he had been in Bangui to collect financial assistance from his supporters. Some of those arrested were relatives or personal friends of government opponents living abroad.

Many of those arrested were members of former president Patasse's ethnic group or his political party, the MLPC; among those arrested were a former prefect, Raymond Behourou, a former member of parliament, Mamadou Raikina, and a chief of police, Clotilde Gamo. In May authorities arrested Claude Yabanda, a member of the executive bureau of the opposition Patriotic Front for Progress for endangering state security. Yabanda, who denied having any connection with the MLPC as well as the government's charge that he supported rebel groups, remained in prison until authorities, under pressure from human rights NGOs, released him in December.

Initially, authorities refused to allow the detainees to have access to legal counsel. Legal experts in the country expressed serious concern that the overwhelming majority of the detainees were not being held on grounds established by law or according to procedures established by law. For example, judicial officials failed to formally charge most of the detainees within the time frame of 48 hours as stipulated by the law.

Several weeks after their arrest, many of the detainees were still being held incommunicado, without charge, and without access to their families, lawyers, and doctors. According to AI, they had not appeared before an independent and impartial judge to challenge the basis for their arrest and continued detention. By June, after several weeks in detention, some of the detainees had been charged with endangering the internal security of the state and were transferred to Ngaragba and Bimbo prisons. However, according to AI, the majority of the detainees remained held without charge or trial at the SRI and other detention centers, such as the Camp de Roux military barracks in Bangui, where they were reportedly denied visits by their relatives and access to legal counsel. In September a court acquitted some of the defendants, but security forces refused to release them for several days (see section 1.e.). In a report published in November, AI criticized the government for arbitrarily arresting individuals, detaining them for several months without charge or trial, failing to respect a court's decision, and holding detainees in harsh and sometimes life-threatening conditions (see sections 1.c., 1.e., and 4).

According to local human rights defenders, some detainees were apparently detained simply because they were related to leaders of armed groups, strongly suggesting that they were political detainees. For example one of those detained was Nelson N'Djader, the 17-year-old brother of Florian N'Djader, the leader of the northwestern rebel group Union of Republican Forces (Florian had claimed responsibility for attacks on security forces in January and was sentenced by a court to 10 year's imprisonment in September). Nelson, who was taken into custody on May 18 after applying for a visa at the embassy of the DRC (his mother's country of origin), told AI that prior to his arrest he had received numerous death threats by telephone and in person from members of security forces, who accused him of collaborating with his brother. AI concluded that "it appears [Nelson] was detained solely on account of his brother being a leader of an armed group, rather than [any] involvement [of his own] in armed insurrection." In October AI was informed that Nelson had been released on an unspecified date, although he was required to report regularly to authorities.

On September 12, the Criminal Court acquitted 14 persons accused of supporting rebels. Among those acquitted were Lydie Florence Ndouba, sister of former president Patasse's spokesperson, former member of parliament Mamadou Raikina, former prefect Raymond Behourou, and Marcel Bagaza. The court concluded that the prosecution had failed to produce sufficient evidence against them and freed them on September 13. However, at the end of the trial, presidential guard forces were sent to the court to prevent the detainees' release. The presidential guard took the detainees illegally to the Ngaragba prison in Bangui and later in the evening, to Bossembele prison in the prefecture of Ombella-Mpoko. They were detained illegally for several days, including three days of incommunicado detention without food and in the same cell. Following protests from several civil society groups, including a strike by Members of the CAR Bar Association, the detainees were returned to Bangui and released on September 25. While the government permitted BONUCA access to the detainees on a regular basis, many observers interpreted the government's refusal to accept the acquittal as further evidence that the detentions had been politically motivated.

Civil Judicial Procedures and Remedies

The constitution provides for an independent judiciary in civil matters, and citizens had access to a court to bring lawsuits seeking damage for abuses; however, there was a widespread perception that judges were easily bribed and that litigants could not rely on courts to render impartial judgments. Many courts were understaffed and personnel were paid poorly.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits invasion of homes without a warrant in civil and criminal cases; however, police sometimes used provisions of the penal code governing certain political and security cases that allow them to search private property without a warrant. Security forces continued to carry out warrantless searches for guns and ammunition in private homes.

During the year fighting between government forces and rebels resulted in the destruction of at least 1,700 homes, and aid agencies said they believed many thousands more had been destroyed, particularly in the northwestern provinces of Ouham and Ouham-Pende. The fighting, in addition to banditry and kidnappings by unidentified groups, forced approximately 185,000 residents to abandon their villages during the year to seek refuge in Chad (15,000) or Cameroon (20,000), or to live in the bush (150,000) (see sections 1.a., 1.c., and 2.d.).

In January, following a dispute between two members of the security forces, members of the presidential guard forcibly entered, ransacked, and looted the home of lawyer and prominent human rights defender Tiangaye (see section 1.a.).

In February gendarmes searched for guns in the home of Christophe Douba, a member of the National Assembly belonging to the opposition party MLPC, without a warrant and without respect of his parliamentary immunity.

In December President Bozize announced that he had ordered security forces to burn several houses belonging to deacons of Kina Baptist Church. President Bozize gave the order, which provoked widespread criticism from domestic independent media, after the deacons had burned down a pastor's house following an interpersonal dispute. In addition, security forces arrested two deacons and beat one of them; authorities had released the two deacons by year's end. The president said the order to burn the houses was intended to deter parties in the dispute from committing additional acts of arson.

The government continued to engage in wiretapping without judicial authority.

During the year there were weekly reports of unidentified armed men in uniform forcibly entering personal residences at night (see section 1.a.).

There was no additional information on the July 2005 arrest by the OCB of Gilbert Bissidi Beodo, president of a local Bangui chapter of the opposition party MLPC.

During the year unidentified armed groups attacked, looted, and burned homes in rural areas in the northern part of the country

(see sections 1.a., 1.c., and 2.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

The constitution and law provide for freedom of speech and of the press; however, despite the implementation of an almost completely decriminalized press law in 2005, the government employed threats and intimidation to limit criticism of the government, although there were fewer instances than in the previous year. On the whole, local media observers said there was greater press freedom during the year and attributed the increase to the new press law and the creation in February 2005 of the High Council of Communications (HCC), an independent institution composed of nine members, including journalists, charged with promoting press freedom and assisting the government with media licensing and regulation. In addition the Central African Journalists' Union (UJCA) and the Central African Association of Private and Independent Newspaper Publishers, both of which campaigned vigorously for the adoption of the new press law, continued to advocate greater press freedom during the year. Journalists who worked for state-owned media reportedly practiced self-censorship.

Individuals could criticize the government publicly without reprisal.

Throughout the year, more than 30 newspapers, many of which were privately owned, published at varying intervals and often criticized the president, the government's economic policies, and official corruption. While five independent dailies—including Le Citoyen, Le Confident, and Le Democrate—were available in Bangui, they were not distributed outside of the Bangui area, and the absence of a functioning postal service continued to hinder newspaper distribution. Financial problems prevented many other private newspapers from publishing regularly, and the average price of a newspaper, approximately \$0.55 (300 CFA francs), was more than most citizens could afford.

Radio was the most important medium of mass communication, in part because the literacy rate was low. The government owned and operated a radio station and the country's only television station.

The private radio station Radio Ndeke Luka continued to provide a popular and independent alternative to the state-owned Radio Centrafrique, although the reach of Ndeke Luka was limited; outside Bangui, it was available for only one hour daily, via shortwave. Ndeke Luka broadcast domestically produced national news and political commentary and rebroadcast international news throughout the country, with assistance from a foreign media development organization and the UN Development Program. Radio Notre Dame, which was owned and operated by the Catholic Church, broadcast national news, debates, legal counseling, and human rights education. International broadcasters, including Radio France Internationale, continued to operate during the year.

The government continued to monopolize domestic television broadcasting, although at least one application to establish a private television

station was pending at year's end.

Journalists continued to face many challenges, including chronic financial problems, a serious deficiency of professional skills, the absence of an independent printing press, and a severe lack of access to information held by the government (see section 3). The UJCA continued to lobby the government for the creation of a national press center where journalists could receive professional training.

During the year security forces often harassed journalists and sometimes physically and verbally threatened them; there were also reports near the end of the year of government ministers and other high-level officials threatening journalists who were critical of the government. For example, according to Reporters without Borders, in early January Lieutenant Dogo, a presidential guard member who had recently been dismissed from the military, called Le Citoyen managing editor Maka Gbossokotto, insulted him, and ended the conversation by saying "we will meet and see," which Gbossokotto interpreted as a threat. Dogo was reportedly angry over the newspaper's publication of an article detailing a fatal dispute among members of security forces that resulted in two killings (see section 1.a.).

In February the acting minister of communication threatened to suspend the broadcasting operations of Radio Ndeke Luka following broadcasts that were critical of the government.

According to reports during the year, security forces often threatened Ndeke Luka journalist Zephirin Kaya for his criticism of security forces who committed abuses against civilians. On August 25, Kaya reported that a security forces member threatened him and attempted to shoot him while he covered an official ceremony honoring high school graduates.

In December government ministers and high-level officials in the presidency reportedly made a series of threats against the director of Radio Ndeke Luka. The officials made the threats after the station broadcast comments critical of the government, including criticism of the president's decision to appoint what some media outlets considered unqualified officials to the country's media oversight body.

Unlike in the previous year, there were no reports of security forces arresting, detaining, issuing death threats to, or attempting to abduct journalists.

In early 2005 the president signed a law passed by the transitional legislative body in December 2004 that precludes the imprisonment of journalists for defaming a third party in a published story; instead, a right of reply or compensation must be accorded to the plaintiff. However, the law still provides for terms of imprisonment and fines of up to \$1,823 (one million CFA francs) for journalists who incite disobedience among security forces or incite persons to violence, hatred, or discrimination through publication in a newspaper or a broadcast. In addition the law provides for terms of imprisonment of between six months and two years and fines of up to \$1,823 (one million CFA francs) for the publication or broadcast of false or fabricated information that "would disturb the peace." Although defamation is no longer punishable by imprisonment under the law, journalists found guilty of libel or slander faced fines of between \$182 and \$1,823 (100,000 and one million CFA francs).

Other provisions in the new press law that concerned local press observers included a requirement that local press organs submit copies of their next publications to four government entities and the HCC prior to distribution and the requirement that foreign press organs submit copies of publications to two government ministries and the HCC at least four hours before distribution.

Unlike in the previous year, there were no reports of local administrators in or near Bouar and Berberati confiscating editions of publications.

The Ministry of Communication maintained a ban on the diffusion by media of songs, programs, or articles deemed to have a "misogynist character" or to disrespect women.

Unlike in the previous year, officials did not use libel laws to suppress criticism of political leaders. The libel suit filed in 2005 against Gbossokotto by a government prosecutor was dropped.

Local journalists and the HCC reported that violence perpetrated by former pro-Bozize rebel fighters, forces loyal to former president Patasse, and armed bandits prevented Bangui-based reporters from venturing outside the capital and severely limited the availability of information about several rural prefectures, particularly in the northern and western regions of the country. However, in March a group of journalists traveled to the northwest and reported on abuses allegedly committed by security forces against civilians suspected of supporting rebels, as well as on the displacement of large numbers of civilians and the harsh conditions in which they lived following the outbreak of fighting between rebels and the military (see section 1.a.).

Internet Freedom

Unlike in the previous year, there were no reports of the government limiting or blocking access to the Internet for certain journalists. There were no reports of the government monitoring e-mail or Internet chat rooms. Although less than 1 percent of the population had access to the Internet, individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail.

Academic Freedom and Cultural Events

There were no reports that the government restricted academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly; however, although the government afforded more respect to this right than during the previous year, the government restricted this right on a few occasions. Organizers of demonstrations and public meetings were required to register with the minister of the interior 48 hours in advance, and political meetings in schools or churches were prohibited. The law required any association intending to hold a meeting to write a letter to the Ministry of Interior to obtain the ministry's approval prior to any meeting. In some cases when associations asked for such approval, the ministry refused "for security reasons."

In September security forces invaded the customs union's headquarters and prevented a meeting called by the union after the government dissolved the customs administration.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right. All associations, including political parties, must register with the Ministry of Interior, and the government usually granted registration expeditiously. The government normally allowed associations and political parties to hold congresses, elect officials, and publicly debate policy issues without interference, except when they advocated sectarianism or tribalism.

The law prohibiting nonpolitical organizations from uniting for political purposes remained in place; however, there were no reports that this law was enforced during the year.

c. Freedom of Religion

The constitution provides for freedom of religion, although it prohibits what the government considers to be religious fundamentalism or intolerance and establishes fixed legal conditions based on group registration with the Ministry of Interior. The government generally respected the right to religious freedom during the year. The constitutional provision prohibiting religious fundamentalism was understood widely to be aimed at Muslims, who made up between 15 and 20 percent of the population; however, this provision was not supported by any additional legislation.

In May OCRB Director Yves Gbeyero reportedly severely assaulted a pastor who had asked for the release of a detainee who had been arrested after the pastor accused him of stealing a camera. There were no reports of disciplinary action against Gbeyero.

In December President Bozize ordered security forces to burn down several homes belonging to Baptist deacons; security forces carrying out the order beat one deacon and arrested another (see section 1.f.).

Religious groups (except for traditional indigenous religious groups) were required by law to register with the Ministry of Interior. The ministry's administrative police monitored groups that failed to register; however, the police did not attempt to impose any penalty on such groups. The ministry could decline to register, suspend the operations of, or ban any organization that it deemed offensive to public morals or likely to disturb the peace. Any religious or nonreligious group that the government considered subversive was subject to sanctions. The Ministry of Interior also could intervene to resolve internal conflicts about property, finances, or leadership within religious groups. Under this framework, the Ministry of the Interior indefinitely closed a Protestant church in Bangui at the end of March after authorities were notified that two factions within the church were planning to fight each other with knives. Government authorities declared the closure was necessary to prevent violence until tensions subsided. Police made no arrests, and the church remained closed at the end of the year.

During the year the government continued to ban the Unification Church, claiming that it was a subversive organization likely to disturb the peace because of its alleged training of younger church members as paramilitaries.

According to the Ministry of Territorial Administration, several of the 34 Protestant churches whose activities were suspended by the government in 2003 (for supposedly being created without regard for official rules and regulations) had fulfilled government requirements to reopen and had resumed their activities by year's end. To reopen, these religious institutions had to prove they had a minimum of 1,000 members. Additionally, church leaders had to present evidence that they graduated from what the government considered high caliber religious schools and provide documentation proving that the church was created with respect to local law. A few of these churches did not reopen for failure to meet these requirements. Some observers perceived this decree as an attempt by the government to regulate the proliferation of places of worship, which had become a trend in the country and a source of concern for the government over recent years.

Police often arrested and detained persons accused of witchcraft or sorcery (see sections 1.d. and 1.e.).

On September 27, approximately 30 unidentified armed men reportedly attacked a theological college in Bata, near Bozoum in Ouham Pende Prefecture. No additional information was available.

Mobs reportedly continued to kill and injure suspected sorcerers or witches during the year (see section 1.a.).

Societal Abuses and Discrimination

There were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The constitution provides for the right to move freely throughout the country; however, the government restricted this right during the year. Security forces, customs officers, and other officials harassed travelers unwilling or unable to pay bribes or "taxes" at checkpoints along major intercity roads and at major intersections in Bangui.

During the year police increased the number of vehicles that it stopped and searched, particularly in Bangui. In addition local human rights organizations and UN officials said the problem of illegal road barriers constructed by members of the military was widespread and that travelers regularly encountered extortion at these barriers. Members of the military did not allow road travelers to pass without paying a fee. For example, merchants and traders traveling more than 350 miles on the main route from Bangui to Bangassou encountered an average of 25 military barriers; at each road block, a motorist paid an average fee of \$16 (8,781 CFA francs), which amounted to \$410 (225,000 CFA francs) for the entire trip. This type of extortion greatly discouraged trade and road travel and severely crippled the country's economy. Following protests from National Assembly deputies and human rights organizations, the government ordered the demolition of illegal barriers on the road but took no disciplinary actions against security forces who beat travelers to extort money. Despite these measures, security forces continued to block the roads to extort money.

Significant numbers of unidentified bandits and rebels, including former combatants that helped President Bozize come to power in 2003, continued to severely impede freedom of movement including that of traders and delivery trucks particularly in northern and northwestern zones of the country that the government effectively did not control. The government also was unable to control highway bandits operating in the eastern prefectures of Ouaka and Haute-Kotto. The highway bandits, or coupeurs de routes, often constructed road barriers to stop drivers, robbed them, and sometimes killed them if they refused to pay (see section 1.a.). Because many travelers ceased carrying large sums of money with them, many highway bandits in the northern and northwestern areas of the country reportedly turned to the more lucrative business of kidnapping and targeted the children of a traditionally wealthy ethnic group (see section 5).

With the exception of diplomats, the government required that all foreigners obtain an exit visa. Travelers intending to exit the country could be required to obtain affidavits to prove that they owed no money to the government or to parastatal companies.

The constitution does not permit the use of exile, and the government did not employ it in practice. Former president Patasse remained in self-imposed exile during the year.

During the year unidentified armed groups committed violations against cattle herders--primarily members of the M'bororo ethnic group--due to their relative wealth, causing more than 20,000 cattle herders to flee the Ouham-Pende and Nana-Mambere prefectures in the northwest and to take refuge in Cameroon (see section 5).

Some observers continued to criticize the government for failing to restore order to the north and charged that the government had made the situation worse after security forces, which were deployed in the north to engage armed rebels, killed civilians and committed other abuses against persons suspected of supporting rebels (see sections 1.a. and 1.c.).

Internally Displaced Persons (IDPs)

During the year there was a threefold increase in the number of IDPs--from approximately 50,000 to an estimated 150,000 (almost 4 percent of the population)--due to fighting between government security forces and rebel groups, as well as attacks on civilians by rebels, armed bandits, and government soldiers. These attacks reportedly resulted in the killing and rape of civilians, the burning of villages, and looting (see sections 1.a. and 1.c.). Displacement occurred throughout the year, and the overwhelming majority of IDPs were in the northwestern prefectures of Ouham (bordering Chad) and Ouham Pende (bordering Chad and Cameroon), where civilians abandoned their villages out of fear and lived in the bush for much of the year, surviving on little more than roots and wild food. Starting in October, thousands of individuals fled their homes due to fighting in the north-central prefectures of Gribingui and Bamingui-Bangoran (both of which border Chad) and the northeastern prefecture of Vakaga (which borders Sudan and Chad). By October the UN estimated that one million citizens, particularly IDPs, had been affected by "severe levels of violence" during the year. In addition to hygiene-related illness, chronic malnutrition increased as insecurity prevented many subsistence farmers from planting crops, and the majority of livestock was either looted or migrated to safety in neighboring Cameroon. The absence of security also rendered the northwestern region largely inaccessible to humanitarian organizations, contributing to the lack of proper medical care, food security, and school facilities.

CEMAC peacekeepers conducted joint security operations in an effort to secure the northern region of CAR and control the proliferation of small arms. Despite these operations, however, the government was not able to provide a sufficient degree of security or protection for IDPs in the northern part of the country.

In June Prime Minister Elie Dote led a "peace mission" to the northwestern subprefecture of Paoua, the site of retribution attacks on civilians by security forces early in the year (see section 1.a.), and made an appeal for IDPs to return to their homes and help build a stable region. However, many critics argued that the government needed to make more efforts to provide security and key infrastructure and services.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol, and the government has established a system for providing protection to refugees. In practice, the government provided protection against refoulement, the return of persons to countries where they feared persecution, and granted refugee status and

asylum. The government accepted refugees prima facie.

The government continued to cooperate with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting the country's approximately 20,000 refugees, as well as asylum seekers. According to the UNHCR, during a voluntary repatriation effort in April, 10,000 southern Sudanese refugees were "stranded" in the Mboki camp of the southeastern prefecture of Haut-Mbomou when the government closed the country's border with Sudan due to insecurity and constant border crossings by Chadian rebels based in Sudan. However, following an agreement it reached with the government, the UNHCR announced on December 8 that it planned to resume the voluntary repatriation of almost 8,000 southern Sudanese, as well as approximately 900 refugees from the DRC.

During the year security forces subjected refugees to the same types of arbitrarily arrest and detention as citizens; however, refugees were especially vulnerable to such human rights violations. The government allowed refugees freedom of movement; however, they were subject to the same roadside stops and harassment by security forces and unidentified armed groups as citizens were.

Several international organizations worked with the government and UNHCR to assist refugees during the year. They included the ICRC, Doctors without Borders, an international confederation of Catholic organizations called Caritas, and the international NGO International Cooperation.

Section 3 Respect for Political Rights: the Right of Citizens to Change their Government

The constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in presidential and legislative elections in 2005, which election observers considered to be generally free and fair, despite some problems. During the year the government failed to hold previously scheduled municipal elections.

Elections and Political Participation

In March and May 2005 the country held two rounds of multiparty presidential and legislative elections that resulted in the election of General Bozize as president; Bozize had seized power in a 2003 military coup, declared himself president, and headed a transitional government until the 2005 elections. Domestic and international election observers judged the elections to be generally free and fair and representative of the voters' will, despite irregularities and accusations of fraud made by candidates running against Bozize.

The campaign prior to the first-round elections was tense. The independent press reported isolated incidents of clashes between rival groups of supporters, particularly the supporters of Bozize and former president Kolingba, who was one of 11 presidential candidates; there also were allegations of fraud involving voter registration documents.

The opposition Union of Active Forces of the Nation (UFCV), a grouping of Bozize's rivals, denounced the elections for alleged fraud and irregularities involving voting and vote counting and called for the elections to be voided. Former president Kolingba said the election was completely rigged, and his supporters claimed that militants armed by supporters of Bozize threatened them. The Joint Independent Electoral Commission (CEMI) chairman acknowledged there had been cases in which there were more votes than registered voters but said he believed the election reflected the will of the people.

In March 2005, before election officials had tallied the results of the first round of presidential elections, armed individuals exchanged gunfire outside the Bangui house of former president Kolingba. The minister of the interior said the exchange of gunfire, which resulted in the wounding of one military soldier in the head, was a "misunderstanding" between members of the military. However, according to a spokesman for Kolingba, unidentified gunmen attacked the residence in an attempt to kill Kolingba. The incident occurred on the same day that Kolingba and other presidential candidates belonging to the UFCV called for the annulment of presidential elections due to fraud and irregularities.

During the 2005 electoral campaign security forces sometimes beat, threatened, and intimidated individuals.

Following elections, presidential candidate Ziguele attempted to have Bozize's victory invalidated, claiming that soldiers had forced or intimidated citizens into voting for Bozize, but the Constitutional Court rejected this assertion.

During the year authorities held an election for a parliamentary seat that the CEMI canceled in 2005 due to fraud. NGOs and other observers considered the election, which took place in the southern administrative division of Bogangone, credible and fair.

The National Convergence Movement, a grouping of smaller parties, military officials, and political leaders supporting General Bozize, held 42 of the National Assembly's 105 seats, which represented the largest number of any party; the MLPC held the second highest number of seats, 11. Presidential candidate Kolingba's party, the Central African Democratic Rally, held eight seats.

On March 31, the law that allowed President Bozize to rule by decree for three months, which was adopted by the National Assembly in December 2005, expired. The law provided that all presidential decrees would require the advice of the Constitutional Court, be effective until March 31, and be subject to ratification by the National Assembly at the end of that period. The prime minister said the law allowed the government to take "emergency measures" to fight corruption and improve the civil service; measures taken included the removal of three ministers for fraud, the harmonization of civil service salaries, and the establishment of a new retirement age. The law, which was passed after cabinet meetings and consultations with the country's Constitutional Court, reportedly was intended to quicken the adoption of political and economic reforms by bypassing parliamentary debates and votes. Several local human rights NGOs criticized the National Assembly's decision to give additional power to the president and accused President Bozize of attempting to establish a "dictatorship." According to the

minister for parliamentary affairs, rule by decree was in accordance with article 29 of the constitution. In October the National Assembly passed a law that effectively approved civil service-related measures that the government had adopted during the three months of Bozize's rule by decree.

During the year there were several indications of the legislature's weakness and lack of independence. For example, in August, on the day that the National Assembly's 105 deputies were scheduled to vote on proposed legislation regulating radioactive minerals, a larger-than-usual number of security forces members surrounded the National Assembly building, roughly frisking and questioning parliamentarians as advocates of the bill reportedly offered bribes for the deputies to approve it. Following the bill's adoption, independent newspapers and NGOs criticized the deputies for their lack of independence.

The state remained highly centralized. The president appointed all regional government officials--who ran the country's 16 prefectures and 60 subprefectures--and regional government entities had no significant fiscal autonomy. Provisions in the constitution provide for municipal elections; however, by year's end they had not been held, and towns continued to be led by mayors appointed by the president.

During the year the LCDH criticized President Bozize for holding the position of minister of defense, saying that article 23 of the constitution prohibits the president from holding "any other political function or electoral mandate," under penalty of dismissal; however, government officials said this criticism was based on a misinterpretation of the constitution.

According to recommendations from a 2003 government-sponsored national dialogue, women were supposed to make up 35 percent of posts in government ministries and political parties; however, this provision was not respected during the year. Ten women held seats in the 105-seat National Assembly, and there were three women in the president's cabinet.

There were two members of the M'bororo ethnic group and approximately 13 Muslims in the 105-seat National Assembly.

Pygmies (Batwa or Ba'Aka), the indigenous inhabitants of the southern part of the country, represented between 1 and 2 percent of the population; they were not represented in the government and continued to have little political power or influence (see section 5).

Government Corruption and Transparency

Misappropriation of public funds and corruption in the government remained widespread. Corruption continued to contribute to the country's incapacity to pay 40 months of government salary arrears, which the International Monetary Fund (IMF) and local human rights activists said was a major threat to the country's security, stability, and advancement of human rights. The country's tax collection and public expenditure management systems were extremely weak by international standards, and the lack of transparency and accountability in the use of public resources was a serious problem. Corruption was prevalent in almost every sector, from education and health to customs and law enforcement. Civil service salary fraud drained 10 percent of the country's monthly budget, according to public statements by the prime minister in October 2005. According to Transparency International's (TI) 2006 Corruption Perceptions Index, corruption among the country's public officials was perceived by both resident and nonresident experts to be "rampant," which is the most severe assessment designation used by TI.

Corruption was particularly rife in the management and oversight of three of the country's key exports, timber, gold, and diamonds. In 2005 experts said that the quantity of diamonds exported illegally from the country--an estimated 500,000 carats--was equal to the quantity that was exported legally and that the value of legally exported diamonds was often understated. According to an interview during 2005 with an IMF official, there was a particular need for the government to increase transparency in the allocation of mining permits and the regulation of enterprises active in the mining sector. In September 2005 the minister of mines indefinitely suspended the granting of mining permits for gold and diamonds and prohibited foreign nationals from traveling in mining zones. The prohibition followed the government's discovery of numerous irregularities in mining zones, as well as the presence of numerous foreigners, many of whom did not have mining permits.

In the health sector, before providing treatment or medicine, many doctors and nurses demanded bribes of at least \$2 (1,000 CFA francs) from even the poorest patients. In recent years, in the education sector, so many students paid teachers or administrators for a passing score on their baccalaureates, or national high school exit exams, that the exam scores lost their value. The inflation of exam scores was so egregious that it led many higher learning institutions in other countries, such as France, to evaluate CAR students with suspicion or disregard their applications altogether, effectively reducing a CAR student's educational opportunities, according to the LCDH.

During the year several local human rights observers accused mid- and high-level government officials of profiting from the extortion that members of security forces committed on a monthly or weekly basis at roadside checkpoints and illegal roadblocks (see section 2.d.).

The government took some significant steps to combat corruption. For example, in August the government dissolved the customs service in an effort to combat corruption and the misappropriation of public taxes. Reform of the customs administration was underway at year's end. The decision to reform the collection of customs revenues reportedly yielded sufficient funds to pay civil servants two sets of salary arrears toward the end of the year; however, some observers argued that too much of the new collection process was not transparent.

The September session of the Criminal Court sentenced former president Patasse, who remained in exile, and Luis Sanchez, a French citizen, to 20 years' imprisonment with hard labor and ordered them to pay part of a fine of \$10 million (five billion CFA francs) for embezzling \$136 million (70 billion CFA francs) of public funds during Patasse's presidency.

The government continued to conduct a targeted campaign against embezzlement, money laundering, and other forms of financial fraud.

During the year the government stopped publishing periodic declarations by government officials of their personal assets and wealth; the declarations, which the government had begun publishing in August 2005, were intended to prevent embezzlement and other forms of government corruption. According to the constitution, the president, government ministers, members of the National Assembly, and judges are required to declare publicly their personal assets.

During the year the government removed from office three ministers accused of fraud related to the payment of civil servants. In addition, by verifying diplomas and other documents, the government continued to combat the existence of "ghost workers" in the civil service who attempted to receive salaries fraudulently.

The case of three public treasury employees accused of embezzling \$95,500 (52 million CFA francs) in 2005 was pending before a court at year's end. In October 2005 the government suspended them for three months without pay.

The law provides for access by journalists to "all sources of information, within the limits of the law"; however, it does not specifically mention government documents or government information, and no mention is made of access by the general public. The government was often unable or unwilling to provide information, and lack of access to information continued to be a problem for journalists and the general public. Furthermore, several years of political and economic instability and conflict made information difficult to collect, even for the government, particularly in the countryside. Information on the humanitarian situation, for example, was difficult to obtain and sometimes contradictory.

Section 4 Governmental Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing in press releases their findings on human rights cases. Government officials were somewhat responsive to their views but increasingly criticized them publicly for their reports of human rights violations committed by security forces. In general, local NGOs were weak, although there were a few that were active and had a sizable impact on the promotion of human rights. Some local NGOs, including the LCDH, the Human Rights Observatory, the anti-torture NGO ACAT, and the Association of Women Jurists actively monitored human rights problems; worked with journalists to draw attention to human rights violations, including those allegedly committed by the army; pleaded individual cases of human rights abuses before the courts; and engaged in efforts to raise the public's awareness of citizens' legal rights. The destruction or loss of scarce resources, such as automobiles and computers, during fighting and looting in 2002 and 2003 limited local human rights NGOs, although they continued gradually to rebuild their capacity during the year. The potential impact of local human rights NGOs continued to be weakened by the failure of most members to pay membership dues and the noticeable dearth of international development organizations and foreign diplomatic missions, which once provided them with training and some financial support. For these reasons, the activities of local human rights NGOs were quite modest in scope and limited almost exclusively to Bangui.

During the last quarter of the year, defense lawyers and human rights activists who opposed the continued detention of 15 defendants acquitted by a court in September reportedly received threats from members of the security forces (see section 1.e.).

During the last quarter of the year the military instructed the few aid organizations and NGOs operating in Paoua, a provincial town in the northwestern prefecture of Ouham Pende, to suspend their activities for security reasons. As a result, organizations such as Doctors without Borders, the ICRC, and the World Food Program were unable to deliver to IDPs more than 50 tons (45,000 kilograms) of food, which remained in a warehouse. However, by year's end these organizations had reportedly resumed their activities.

During the year human rights activists, including the president of ACAT, reported receiving anonymous death threats following their criticism of government tolerance of impunity and their public denunciation of abuses committed by security forces.

According to the International Federation for Human Rights (FIDH), during the year the government undertook a campaign to publicly defame and threaten domestic human rights NGOs. During an August meeting with members of the opposition MLPC, President Bozize reportedly spoke of a meeting he had in June with the FIDH and LCHD and said that he had "wanted to stab" the president of the LCDH during the meeting, accompanying his words with a stabbing gesture. In December President Bozize delivered a speech in which he accused magistrates, human rights defenders, journalists, and members of the political opposition of "blocking the development of the CAR" and charged that domestic human rights defenders had reported falsehoods and insulted their country and president. In a speech delivered in March, the president accused human rights defenders of protecting "criminals."

Until the military instructed aid organizations in November to stop their activities, international human rights NGOs and international organizations operated in the country without interference from the government; however, there were very few operating in the country. Due to insecurity caused by unidentified armed groups in many parts of the country, the activities of international groups were limited to Bangui and sometimes a few other locations. During the year armed groups reportedly targeted the small number of humanitarian workers who were operating in the northwest, stopping their vehicles and robbing them. The northwest, including Vakaga Prefecture, was inaccessible to NGOs due to instability and fighting between rebels and the military.

In June UN Secretary General Kofi Annan reported to the UN Security Council that the country's humanitarian situation, particularly in the northwest, had deteriorated sharply during the first half of the year, during which thousands of civilians abandoned their villages as a result of armed rebel movements, attacks by bandits, and reprisals by the armed forces against rebels and civilians suspected of aiding the rebels. Annan highlighted "many reports of arbitrary or summary execution; torture; cruel, inhuman, or degrading treatment; arbitrary arrest and detention; violation of time limits on police custody; and restriction of the freedom of movement."

In June several local human rights organizations issued a joint public statement protesting "appalling" detention conditions in the country, as well as long-term detention without trial after arbitrary arrests. Instead of responding to the concerns highlighted by the organizations, the Bangui High Court procurator accused the organizations of making false allegations and indulging in sensationalism.

In November AI released a report charging that the government violated its own laws and international human rights by arbitrarily arresting individuals, detaining many of them for several months without charge, and detaining them for up to six or more months without trial. The report detailed the arrest and detention between February and May of more than 40 persons accused by the government of supporting armed groups and endangering national security. The report highlighted harsh and sometimes life-threatening detention conditions, the government's refusal to release 15 defendants after a court had acquitted them, and the government's denial of basic medical care to detainees (see sections 1.c., 1.d., and 1.e.). AI urged the government to respect its own laws and international human rights standards, including detainees' rights to a fair trial, to be informed promptly of charges, and to be tried in a reasonable amount of time (see sections 1.d. and 1.e.).

In November a UN delegation completed a fact-finding mission to the Vakaga Prefecture bordering Sudan and Chad. The delegation composed of political, security, and humanitarian experts--was later expected to present its findings to the UN secretary general. A week prior to the completion of the delegation's mission, the UN Security Council decided to extend the mandate of BONUCA until the end of 2007 and expressed its deep concern about the country's security situation.

In a report presented to the UN Security Council on December 28, the UN secretary general noted that security had deteriorated during November and December, especially in the north and along the borders with Chad and Sudan, which negatively impacted the overall human rights situation. In the conflict zones security forces, rebel groups, and armed bandits committed "abuses of all kinds," including killings. Impunity, particularly among members of the presidential guard, continued to hinder the administration of justice. The report recommended that the government make greater efforts to restructure the security forces and underlined the importance of strengthening national democratic institutions and promoting an inclusive national dialogue involving all political stakeholders to relieve tensions and resolve the country's ongoing "political and military crisis."

During the year BONUCA's human rights section continued to actively monitor human rights practices, assist the government in capacity building, sensitize the public to human rights, conduct visits to prisons and detention centers, and conduct human rights training for hundreds of government security agents. Although based in Bangui, BONUCA had two field offices in the countryside throughout the year, one in the Nana-Mambere prefecture town of Bouar and one in the Ouham prefecture town of Bossangoa. In October it opened a third field office in the Ouaka province town of Bambari, in the south-central part of the country. BONUCA continued to receive complaints of killings and other violations committed by security forces, which it researched and documented. It worked very closely with the Ministry of Justice, often visiting the public prosecutor of the republic to submit for judicial investigation complaints it received about security agents. BONUCA also worked with the Ministry of Communications, National Reconciliation, and the Promotion of Human Rights.

UN Development Program and government officials continued collecting weapons from former combatants and reintegrating thousands of them into civilian life. By year's end the disarmament, demobilization, and reintegration program had demobilized more than 5,100 former combatants, and of that number, more than 1,700 had been reintegrated. The program had collected hundreds of small arms, as well as numerous munitions, rocket launchers, grenades, and land mines. Although the exact number of small arms in the country remained unknown, the government's estimate of 50,000 small arms circulating nationally, beyond its control, could have underestimated the scale of the problem, according to a small arms survey published in 2005 by the Graduate Institute for International Studies in Geneva, Switzerland.

The High Commission of Human Rights and Good Governance, which is attached to the presidency, conducted human rights training for members of the security forces. Each week, the commission received and investigated an average of 10 citizen complaints of human rights violations committed by members of the government, and it sometimes forwarded cases to the Ministry of Justice. In addition, during the year it conducted several investigations of government ministries to combat human rights violations, including corruption. Having approximately 30 persons employed in its Bangui headquarters and 100 in the countryside, the commission did not have adequate resources and lacked the means to conduct proper training of its investigators. Some human rights observers criticized the commission for its lack of independence and its lack of effectiveness in reducing impunity in the security forces.

The Human Rights Commission (HRC) in the National Assembly sought to strengthen the capacity of the legislature and other government institutions to advance human rights. Among their human rights priorities, HRC members said they aimed to stop extrajudicial killings by the OCRB, improve conditions in detention centers, reduce prolonged detentions without trial, fight corruption, expand women's and minorities' rights, and combat the worst forms of child labor. The commission said it suffered from a severe lack of resources.

On November 30, the pretrial chamber of the ICC noted that almost two years had passed since the ICC prosecutor received the referral from the government regarding the situation of crimes within the jurisdiction of the ICC, including crimes committed in the country since 2002. The ICC's pretrial chamber requested that the ICC prosecutor provide information on the alleged failure to decide within a reasonable time whether or not to initiate an investigation, and that it take measures to preserve evidence and protect victims. In April the cassation court, the country's highest criminal court, held that only the ICC was capable of trying the serious crimes committed in the country since July 2002 by persons who remained outside of the national territory during the year, including former president Patasse, DRC Vice President Jean-Pierre Bemba and combatants under his command, and others. In 2005 the ICC prosecutor said an analysis would be carried out to determine whether to initiate an investigation; however, no decision had been made by year's end.

Domestic and international NGOs, including the FIDH and the LCDH, continued to accuse the government of failing to cooperate fully with the ICC's prosecutor and criticized the government for failing to conduct an exhaustive and independent investigation of the alleged war crimes and crimes against humanity committed by pro-Bozize rebels and soldiers and rebels loyal to then president Patasse during 2002 and 2003, including summary executions, systematic rape, and widespread looting. Government officials said an investigation had been made difficult by the insecurity still present in the north.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution stipulates that all persons are equal before the law without regard to wealth, race, or sex; however, the government did not

enforce these provisions effectively, and significant discrimination existed.

Women

Although the law does not specifically mention spousal abuse, it prohibits violence against any person and provides for penalties of up to 10 years' imprisonment; however, domestic violence against women, including wife beating, reportedly was common. Inadequate data made it impossible to quantify the extent of domestic violence. Spousal abuse was considered a civil matter unless the injury was severe. According to the Association of Women Jurists, a Bangui-based NGO specializing in the defense of women's and children's rights, victims of domestic abuse seldom reported incidents to authorities, and when incidents were addressed, it was done within the family or local community. The courts tried very few cases of spousal abuse, although litigants cited these abuses during divorce trials and civil suits. Some women reportedly tolerated abuse to retain financial security for themselves and their children.

The law prohibits rape; however, rape remained a problem. The law does not specifically prohibit spousal rape. Rape is punishable by imprisonment with hard labor, although the law does not specify a minimum sentence. Police sometimes arrested men on charges of rape; however, the social stigma induced many families to avoid formal court action.

Although the law prohibits FGM, which is punishable by up to 10 years' imprisonment, girls continued to be subjected to this traditional practice in certain rural areas and, to a lesser degree, in Bangui. According to the WHO, FGM affected more than 40 percent of girls. In addition, according to data collected by the UN Children's Fund (UNICEF) between 1998 and 2005, an estimated 36 percent of females between the ages of 15 and 49 had undergone FGM. According to the Association of Women Jurists, anecdotal evidence suggested that fewer girls and women had undergone FGM as a result of efforts to sensitize women to the dangers of the practice.

Although the law does not prohibit prostitution, it prohibits the incitement of someone to prostitution and the act of profiting from an individual's prostitution; however, prostitution existed during the year. The law designates a fine and imprisonment for three months to one year for those found guilty of procurement of individuals for sexual purposes (including assisting in prostitution). For cases involving a minor, the penalty of imprisonment is between one and five years. Some young girls reportedly engaged in prostitution for economic reasons, particularly in urban centers. The practice had reportedly grown more common since 2002.

Trafficking in persons occurred (see section 5, Trafficking).

The law prohibits sexual harassment; however, the government did not effectively enforce the law, and sexual harassment was a problem.

The law does not discriminate against women in inheritance and property rights, but a number of discriminatory customary laws often prevailed, and women's statutory inheritance rights often were not respected, particularly in rural areas. The family code further strengthened women's rights, particularly in the courts; however, access to the judicial system remained very limited throughout the country.

Women were treated as inferior to men both economically and socially. Single, divorced, or widowed women, including those with children, were not considered to be heads of households. Only men were entitled to family subsidies from the government. Women in rural areas generally suffered more discrimination than women in urban areas. There were no accurate statistics on the percentage of female wage earners. Women's access to educational opportunities and to jobs, particularly at higher levels in their professions or in government service, was limited.

Polygyny is legal, although this practice faced growing resistance among educated women. The law allows a man to take up to four wives, but a prospective husband must indicate at the time of the first marriage contract whether he intends to take additional wives. In practice many couples never married formally because men could not afford the traditional bride payment. The family code authorizes the use of bride payments, but it neither requires them nor sets a minimum payment amount. Women who were educated and financially independent tended to seek monogamous marriages. Divorce is legal and can be initiated by either partner.

The Association of Women Jurists advised women of their legal rights and how best to defend them and filed complaints with the government regarding human rights violations. During the year several active women's groups solicited guidance from the Association of Women Jurists and organized workshops and seminars to promote women's and children's rights, including seminars to encourage women to participate fully in the political process.

Children

The government spent little money on programs for children, and churches and NGOs had relatively few programs for youths. In addition instability had a disproportionate effect on children, who accounted for almost 50 percent of all IDPs during the year. Humanitarian organizations reported in June that in the northwestern prefectures of Ouham and Ouham Pende only 9 percent of school-age children attended school due to lack of security.

Furthermore, following the 2003 coup, approximately three-quarters of the country's schools were destroyed, although UNICEF has since assisted the government in rebuilding some primary schools in the southwest region of the country. The failure of the education system, caused by a meager budget and salary arrears, resulted in a shortage of teachers and an increase in the number of street children.

Education is compulsory from ages six to 14, although parents rarely were prosecuted for their children's nonattendance. Students must pay for their own books, supplies, transportation, and insurance. At the primary level (ages six to 11), approximately 60 percent of children did not attend school, according to a national census conducted by the government in 2003 and published in June 2005. Primary school

enrolment rates for all prefectures were on average less than half that of Bangui commune, and in practice, children in rural areas often started school two to three years later than children in urban areas. Girls did not have equal access to primary education, as 36.9 percent of girls of primary school age were enrolled in school compared with 44.3 percent of boys. There were extremely few, if any, Pygmies enrolled in primary school during the year. The census indicated that 10.8 percent of children of secondary school age were enrolled in school. The majority of young women dropped out of school at age 14 or 15 due to societal pressure to marry and bear children. In addition, the census indicated that, of persons 10 years and older, 32 percent of the country's women were literate compared with 53.8 percent of men.

In recent years communities have taken initiatives to fill the void in cases where the public education system was lacking or in areas where there were no schools. As a result, the majority of teachers at the primary level were parents, and according to the UN Office for the Coordination of Humanitarian Affairs, three-quarters of all teachers had no formal training, a problem that continued to hinder the effectiveness of public schooling.

During the year UNICEF continued to conduct a campaign to raise awareness of the importance of child education, with a particular focus on the need to increase the literacy rate among girls. In addition, in recent years the government, UNICEF, the UN Population Fund, and other donors have developed an action plan to address the need for more complete birth registration to improve children's access to education and other social services. There were no reliable statistics on birth registration; however, in September UNICEF began conducting a five-month study to determine the percentage of births that were registered.

Corruption in the education system continued to be a problem. According to numerous credible reports, male teachers in primary and secondary schools and at the university level routinely pressured their female students into having sexual relationships in exchange for passing grades; the spread of HIV/AIDS was extremely prevalent between teachers and their female students.

The government's incapacity to pay salary arrears to teachers and scholarship arrears to students at the university level continued to be a serious problem. For example in September primary and high school teachers threatened to go on strike if the government did not pay them three months of salary arrears. After negotiation between the government and the teachers' union, they resumed activities at the beginning of the academic year.

The government did not provide medical coverage for uninsured children. Most children's families could not afford access to the fee-based health care system. Health officials cited evidence during the year that diseases previously brought under control, such as human sleeping sickness and river blindness, were now spreading again. According to UNICEF, the country's main health indicators, including child mortality under age five, maternal mortality, and malnutrition, continued to deteriorate markedly in recent years. For example approximately 30 percent of children died before the age of five. During the year, in response to the deteriorating healthcare situation, the government continued working with UN agencies to implement a plan to reduce maternal and infant mortality by 2015.

The penal code forbids parental abuse of children under the age of 15 years, and child abuse was not widespread. A juvenile court tried cases involving children and provided counseling services to parents and juveniles during the year.

In February a court sentenced two parents to four years' imprisonment for abusing their five-year-old girl.

In September a local private newspaper reported that a member of parliament had raped his 14-year-old daughter. Although authorities did not arrest the parliamentarian, the case was pending before a court at year's end.

In October police arrested the parents of a nine-year-old girl who had suffered serious burns after her parents had allegedly accused her of being a sorcerer. At year's end an investigation was ongoing and the parents remained in custody.

FGM was performed primarily on young girls (see section 5, Women).

The law establishes 18 as the minimum age for marriage. However, an estimated 57 percent of children had entered into marriage before the age of 18, according to data collected between 1987 and 2005 by UNICEF.

Trafficking of children and child prostitution occurred (see section 5, Trafficking).

During the year unidentified armed groups in the northwest of the country kidnapped numerous children, reportedly often keeping them in chains and depriving them of food (see section 5, National/Racial/Ethnic Minorities).

Child labor remained a problem (see section 6.d.).

There were more than 6,000 street children between the ages of five and 18 residing in the country, including 3,000 in Bangui. Many experts believed that HIV/AIDS and a belief in sorcery, particularly in rural areas, contributed to the large number of street children. An estimated 110,000 children have lost one or both parents to HIV/AIDS, and children accused of sorcery (often reportedly in relation to HIV/AIDS-related deaths in their neighborhoods) were often expelled from their households. Many street children begged and stole; several charitable organizations provided them with humanitarian assistance.

There were NGOs specifically promoting children's rights, including some, such as Voix du Coeur, which assisted street children.

Trafficking in Persons

The law does not prohibit trafficking in persons, and there were reports of persons being trafficked, although NGOs and government officials said that trafficking in persons was not widespread. The country was a source and destination country for children trafficked for forced labor and sexual exploitation. While the majority of child victims were trafficked within the country, some were also trafficked to and from Cameroon and Nigeria. Children were trafficked for domestic servitude, sexual exploitation, and forced labor in shops and commercial labor activities. According to NGOs, orphaned boys and girls were particularly at risk of being trafficked.

Trafficking was confined primarily to children, both girls and boys, who primarily were orphans. During the year there were reports that these children were forced into domestic servitude and commercial labor activities, such as street vending and agricultural work. In recent years there were reports that children were brought in by members of the foreign Muslim community from Nigeria, Sudan, and Chad and that merchants, herders, and other foreigners doing business in and transiting the country brought girls and boys into the country. Child trafficking victims were not afforded the benefit of a formal education, despite the mandatory school age, and worked without remuneration for their labor. There were a few anecdotal reports of children being trafficked to Nigeria and several other nearby countries for use as agricultural workers. There was also anecdotal evidence of sexual exploitation of girls in Bangui, and there were reports that children were publicly beaten.

Some girls entered prostitution to earn money for their families.

Traffickers can be prosecuted under laws against slavery and sexual exploitation, labor code violations, and mandatory school age laws. Specific laws that address the crime of prostitution have been used in recent years to punish those who trafficked women for the purposes of prostitution.

During the year the government did not receive or investigate any cases of trafficking, nor did it use or have access to special investigative techniques in trafficking investigations. By year's end no government agency had been assigned to study, combat, or raise awareness of trafficking. The head of the High Commission of Human Rights and Good Governance, located in the president's office, said that because the government believed that trafficking was not a problem in the country, it had not set up shelters for trafficking victims and had not incorporated a trafficking component in its human rights training seminars for security forces and other officials.

There were no known NGOs specifically working to combat trafficking.

Persons with Disabilities

There was no codified or societal discrimination against persons with disabilities. However, there were no legislated or mandated accessibility provisions for persons with disabilities, and such access was not provided in practice. The government had not developed a national policy or strategy to provide assistance to persons with disabilities. Approximately 10 percent of the country's population had disabilities, mostly due to polio. There were several government- and NGO-initiated programs designed to assist persons with disabilities, including handicraft training for the blind and the distribution of wheelchairs and carts by the Ministry of Social Affairs.

The Ministry of Social Affairs continued to work with the NGO Handicap International during the year to provide treatment, surgeons, and prostheses to persons with disabilities. For example a \$24,660 (12.7 million CFA francs) physiotherapy center for persons with disabilities continued to operate in Dekoa, 160 miles northeast of Bangui.

National/Racial/Ethnic Minorities

The population included more than 80 ethnic groups; many of these groups spoke distinct primary languages and were concentrated regionally outside urban areas. The largest ethnic groups were the Baya (33 percent of the population), the Banda (27 percent), the Mandja (13 percent), and the Sara (10 percent). The nomadic and semi-nomadic M'bororo, also known as Bush Fulanis or Peulhs, comprised approximately 7 percent of the population but played a preponderant role in the economy; they were involved in mining development and remained the most important cattle breeders in the country.

Between January 1 and November 30, as a result of an increase in attacks and kidnappings for ransom by unidentified armed groups, more than 20,000 cattle herders--primarily M'bororos--reportedly fled to Cameroon from the northwest, primarily from Nana-Mambere and Ouham-Pende prefectures, according to UN agencies and local human rights groups. In 2005 an estimated 10,000 M'bororos fled to Cameroon for the same reasons. According to reports received by the UNHCR, the perpetrators were a combination of security forces, rebel soldiers, and bandits, and Chadian soldiers who targeted the M'bororo due to their perceived wealth (the size of their cattle herd). UNICEF said that, according to its NGO partners in the affected region, the attackers often were themselves members of the M'bororo ethnic group.

In December the UNHCR said that the perpetrators often kidnapped women and children and held them for ransoms of between \$2,000 and \$4,000 (one million and two million CFA francs); in addition, in certain areas of the northwest, such as Bawa, perpetrators attacked and burned entire villages. Although there were no details available on the number of persons abducted during the year, kidnappings in 2005 involved an estimated 1,000 M'bororo children, and parents often could only finance the ransoms by selling their entire cattle herds, according to the Germany-based NGO Society for Threatened Peoples. Parents of the kidnapped children reportedly often did not contact security forces for fear that the kidnappers would retaliate by killing the abducted children. During the year, despite the Cameroonian government's deployment of elite security forces on the Cameroon-CAR border, armed groups in the CAR continued to conduct frequent attacks on the M'bororo population on the Cameroonian side of the border.

The ongoing displacement of cattle herders, particularly M'bororos, resulted in beef shortages during the year, making meat unaffordable for much of the population and significantly affecting the country's food security.

The country's major political parties continued to have readily identifiable ethnic or ethnic-regional bases.

During the year there was occasional violence involving Chadian members of the presidential guard and other members of the security forces (see section 1.a.). However, relative to previous years, tensions between the Chadian community, whose members number in the thousands and have resided in the country for generations, and those who considered themselves to be native to the country were not as apparent.

Indigenous People

Despite constitutional protection, there was societal discrimination against Pygmies (Batwa or Ba'Aka), the earliest known inhabitants of the rain forest in the southern part of the country, predominately in Lobaye, Ombella-Mpoko, and Sangha prefectures. Pygmies comprised approximately 1 to 2 percent of the country's population. In general Pygmies had little input in decisions affecting their lands, culture, traditions, and the allocation of natural resources. Indigenous forest-dwelling Pygmies, in particular, were subject to social and economic discrimination and exploitation, which the government has done little to prevent. The government continued to fail to issue and deliver identity cards to Pygmies, which, according to many human rights groups, effectively denied them access to greater civil rights.

Pygmies, including children, often were coerced into agricultural, domestic, and other types of labor within the country. Pygmies often were considered to be the slaves of other local ethnic groups, and when they were remunerated for performing labor, their wages were far below those prescribed by the labor code and lower than those paid to members of other groups.

During the year the international NGO International Cooperation continued to promote the rights of Pygmies, monitor discrimination, and gain access to public services through the obtainment of birth certificates. Refugees International has reported in recent years that Pygmies were effectively "second class citizens" and that the popular perception of Pygmies as barbaric, savage, and subhuman had seemingly legitimized their exclusion from mainstream society.

Other Societal Abuses and Discrimination

The penal code criminalizes homosexual behavior; however, there were no reports that police arrested or detained persons they believed to be homosexual. Societal discrimination against homosexuals existed during the year.

Section 6 Worker Rights

a. The Right of Association

The law allows all workers to form or join unions without prior authorization, and a relatively small part of the workforce, primarily civil servants, exercised this right. Police forces and judges are allowed to form unions; however, security forces, including the military and gendarmes, are prohibited from forming unions.

A person who loses the status of worker, either through unemployment or retirement, can belong to a trade union and participate in its administration. The labor code requires that union officials be full-time wage-earning employees in their occupation, and that they may conduct union business during working hours as long as the employer is informed 48 hours in advance and provides authorization.

In March security forces arrested Noel Ramadan, the deputy secretary general of the Syndicated Union of CAR Workers, for allegedly receiving undue salary benefits; they detained him for at least one day before releasing him.

Unlike in the previous year, there were no reports that police closed a trade union's headquarters to prevent a rally.

The law expressly forbids antiunion discrimination; however, during the year there were some reports of antiunion discrimination directed toward employees who participated in strikes. Employees can have their cases heard in the labor court. The law does not state whether employers found guilty of antiunion discrimination were required to reinstate workers fired for union activities, although employers found guilty of such discrimination legally were required to pay damages, including back pay and lost wages.

b. The Right to Organize and Bargain Collectively

The labor code provides for the right of workers to organize and administer trade unions without employer interference and grants trade unions full legal status, including the right to file lawsuits, and the government generally respected these rights in practice. The code provides that unions may bargain collectively and provides workers protection from employer interference in the administration of a union. Collective bargaining occurred in the private sector during the year. The government generally was not involved if the two parties were able to reach an agreement.

The country's largest single employer was the government, and government employee trade unions were especially active. In the civil service, the government set wages after consultation, but not negotiation, with the unions; wage levels have remained unchanged for more than two decades. Salary arrears continued to be a severe problem during the year for military personnel and the country's 24,000 civil servants. The government owed government employees up to 40 months of salary arrears, and the arrears continued to be a major complaint of the unions. Civil servants continued to demand the payment of salary arrears and to hold strikes throughout the year. During the year the government continued efforts to identify fraudulent "ghost workers" in the civil service to help reduce budgetary problems and pay

salary arrears (see section 3).

Unions have the right to strike in both the public and private sectors, and workers exercised this right during the year; however, security forces, including the military and gendarmes, are prohibited from striking. To be legal, strikes must be preceded by the union's presentation of demands, the employer's response to these demands, a conciliation meeting between labor and management, and a finding by an arbitration council that union and employer failed to reach agreement on valid demands. The union must provide eight days' advance written notification of a planned strike. The law states that if employers initiate a lockout that is not in accordance with the code, the employer is required to pay workers for all days of the lockout. However, the government has the authority to end strikes because of public interest. The code makes no other provisions regarding sanctions on employers for acting against strikers.

c. Prohibition of Forced or Compulsory Labor

Although the labor code specifically prohibits forced or compulsory labor, there were reports that such practices occurred (see sections 5 and 6.d.). Prisoners reportedly were forced to work on public works projects without compensation for government officials or magistrates; the prisoners often received shortened sentences for doing so. Pygmies, including children, often were coerced into labor within the country and often treated as slaves (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The labor code forbids the employment of children under 14 years of age; however, the Ministry of Labor and Civil Service did not enforce the provision, and child labor was common in many sectors of the economy, especially in rural areas. In some cases, the labor code provides that the minimum age for employment could be reduced to 12 years for some types of light work in traditional agricultural activities or home services. The law prohibits children under 18 from performing hazardous work or working at night; however, children continued to perform hazardous work during the year. The labor code does not define the worst forms of child labor.

Reliable statistics on child labor were not available; however, according to data collected by UNICEF between 1999 and 2005, an estimated 57 percent of children between the ages of five and 14 were involved in child labor activities at the time of the survey. UNICEF considered a child to be involved in labor activities according to the following classification: children five to 11 years old who, during the week preceding the survey, did at least one hour of economic activity or at least 28 hours of domestic work; and children 12 to 14 years old who, during the week preceding the survey, performed at least 14 hours of economic activity, or at least 42 hours of economic activity and domestic work combined.

Throughout the country, children as young as seven years old frequently performed agricultural work, often with their parents, during the year. In addition children often worked as domestic workers, fishermen, and in mines (often in dangerous conditions). An international agency reported that children worked in the diamond fields alongside adult relatives. In Bangui, many of the city's 3,000 street children worked as street vendors.

In some rural areas, teachers or principals used school children as occasional or part-time labor on farms, ostensibly to teach them how to work the land and raise chickens since many students did not attend school beyond the primary level (see section 5). The schools used the proceeds from the sale of farm produce to purchase school supplies and equipment and to fund school related activities.

The labor code prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically; however, forced child labor occurred.

The government had extremely few resources to enforce the prohibition against forced labor or child labor laws effectively. The Ministry of Labor and Civil Service had approximately 30 labor inspectors and two vehicles to cover the entire country. Salary arrears and the lack of personnel training severely impeded its enforcement capacity.

The country had only two centers--both located in Bangui--that worked to rehabilitate former child laborers and street children and facilitate their reinsertion into the education system. UNICEF, local NGOs, and labor unions continued to call for the allocation of government resources toward the creation of rehabilitation centers and special schools for former child laborers. Labor unions continued to highlight the absence of an inspection regime to prevent child labor and called on the government to launch an awareness campaign to sensitize parents to the risks of child labor.

e. Acceptable Conditions of Work

The labor code states that the minister of labor must set minimum wages in the public sector by decree. The minimum wage varies by sector and by kind of work. For example the monthly minimum wage was equivalent to approximately \$17 (8,500 CFA francs) for agricultural workers but approximately \$52 (26,000 CFA francs) for office workers. The minimum wage did not provide a decent standard of living for a worker and family, and wage levels had not changed in more than 20 years. Most labor was performed outside the wage and social security system (in the vast informal sector), especially by farmers in the large subsistence agricultural sector.

The law sets a standard workweek of 40 hours for government employees and most private sector employees. Household employees may work up to 52 hours per week. The law also requires a minimum rest period of 48 hours per week.

There are general laws on health and safety standards in the workplace, but the Ministry of Labor and Civil Service neither precisely defined nor actively enforced them. The labor code states that a labor inspector may force an employer to correct unsafe or unhealthy work

conditions, but it does not provide the right for workers to remove themselves from such conditions without risk of loss of employment.